SCOTTSDALE CITY COUNCIL REGULAR MEETING AND WORK STUDY SESSION MINUTES TUESDAY, SEPTEMBER 5, 2023



CITY HALL KIVA 3939 N. DRINKWATER BOULEVARD SCOTTSDALE, AZ 85251

CALL TO ORDER

Mayor David D. Ortega called to order a Regular Meeting and Work Study Session of the Scottsdale City Council at 5:02 P.M. on Tuesday, September 5, 2023 in the City Hall Kiva Forum.

ROLL CALL

Present: Mayor David D. Ortega; Vice Mayor Kathy Littlefield; and Councilmembers

Tammy Caputi, Tom Durham, Barry Graham, Betty Janik, and Solange

Whitehead

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer

Sonia Andrews, Acting City Auditor Lai Cluff, and City Clerk Ben Lane

PLEDGE OF ALLEGIANCE - Councilwoman Janik

MAYOR'S REPORT

Mayor Ortega requested a moment of silence to take time to think about Ukraine and their loss of hospitals, schools, and libraries, and to consider their fight for freedom and democracy.

Mayor Ortega announced the Mayor's Annual Constitution Day Contest is back for students in first through twelfth grades. The submission entry deadline is September 29th for students to discuss their favorite Bill of Rights issue. For more information, visit <u>scottsdaleaz.gov</u> and search "Constitution Day Contest."

Mayor Ortega proclaimed September as Ovarian Cancer Awareness Month. Mayor Ortega read the Ovarian Cancer Awareness Month Proclamation and presented it to cancer advocate and survivor Rachel Putnam.

CITY MANAGER'S REPORT

Fast Five Video Update

Note: The Council may make comments or ask questions to the presenter(s); however, no Council action will be taken.

City Manager Jim Thompson introduced a "Fast Five" video produced by the City's Communications Office which provided updates on several City events and offerings.

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

PRESENTATIONS/INFORMATION UPDATES

Announcement of Reappointments to the Judicial Appointments Advisory Board (JAAB)

Mayor Ortega will announce the following reappointments to the JAAB:

- The Arizona Superior Court's reappointment of Judge Joseph Kiefer as a member of the JAAB, to serve a three-year term beginning October 1, 2023 and ending September 30, 2026, as stated in <u>Arizona Superior Court Administrative Order</u> No. 2023-115.
- The Arizona Supreme Court's reappointment of Judge Suzanne Marwil as a member of the JAAB, to serve a three-year term beginning October 1, 2023 and ending September 30, 2026, as stated in <u>Arizona Supreme Court Administrative</u> Order No. 2023-58.

Mayor Ortega announced the reappointments of Judge Joseph Kiefer and Judge Suzanne Marwil to the Judicial Appointments Advisory Board.

PUBLIC COMMENT - None

ADDED ITEM

A1. Added Item

Item No. 12A was added to the agenda on August 30, 2023 and requires a separate vote to remain on the agenda.

Request: Vote to accept the agenda as presented or continue the added items to the next scheduled Council meeting, which is September 19, 2023.

MOTION AND VOTE – ITEM A1

Councilwoman Whitehead made a motion to accept the agenda as presented. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Littlefield; and Councilmembers Caputi, Durham, Graham, Janik, and Whitehead voting in the affirmative.

CONSENT AGENDA

1. Corso Italia Liquor License (44-LL-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.

Location: 7704 E. Doubletree Ranch Road, Suite 140

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

2. Social Tap Liquor License (45-LL-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location with a new owner.

Location: 4312 N. Brown Avenue

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

3. Permanent Extension of Premises for Social Tap (5-EX-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for a Series 6 (bar) State liquor license for an existing location to expand the premises to add a second floor balcony.

Location: 4312 N. Brown Avenue

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

4. Off Premise Liquor License (46-LL-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for a new location and owner.

Location: 7137 E. Stetson Drive, Suite 12

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

5. SNAX! Liquor License (48-LL-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for an existing location with a new owner.

Location: 304 N. Hayden Road

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

6. Permanent Extension of Premises for First Watch #209 (4-EX-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license for an existing location to expand the premises to add an outdoor patio.

Location: 6149 N. Scottsdale Road, Suite A-109

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

7. Goodwood Tavern Conditional Use Permit (9-UP-2005#3)

Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12894** approving an amendment to an existing Conditional Use Permit for a bar (9-UP-2005#2) to add a ±419 square foot rooftop deck to an existing 2,258 square foot bar with Central Business District, Parking Overlay, Downtown Overlay (C-2/P-3 DO) zoning.

Location: 7330 E. Stetson Drive

Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism

Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

8. Tract D Sweetwater Ranch Manor Final Plat Replat (10-PP-2022)

Request: Approve the final plat replat of Tract D of Sweetwater Ranch Manor for the creation of two new residential lots with Townhouse Residential, Planned Community District (R-4 PCD) zoning.

Location: 13099 N. 94th Place

Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism

Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

(Moved to Regular Agenda, see pages 4 and 5)

9. On-Call Engineering Services Contracts for Sewer Rehabilitation

Request: Adopt **Resolution No. 12911** authorizing the following one-year contract extensions, in an amount not to exceed \$500,000 per contract, for Citywide on-call sewer rehabilitation engineering services, including studies, design, construction documents, and construction administration:

- 1. Contract No. 2019-151-COS-A3 with Dibble & Associates Consulting Engineers, Inc.
- 2. Contract No. 2019-152-COS-A3 with Project Engineering Consultants, Ltd.

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

10. Eldorado Park and Community Center Second Amended and Restated Lease Agreement

Request: Adopt Resolution No. 12896 to authorize:

- 1. The Second Amended and Restated Existing Lease of Premises Agreement No. 1997-068-COS-A3 with the Boys & Girls Clubs of Greater Scottsdale, Inc., and Memorandum of Second Amended Lease, related to the use of operation for the community center at Eldorado Park and adjacent areas for youth programming and activities.
- 2. The Community Services Assistant Executive Director, Parks and Recreation Director, or designee to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.

Location: 2311 N. Miller Road

Staff Contact(s): Nick Molinari, Community Services Assistant Executive Director, 480-312-1011, nmolinar@scottsdaleaz.gov

There was no public comment on the Consent Agenda.

MOTION AND VOTE - CONSENT AGENDA

Councilwoman Whitehead made a motion to approve Consent Agenda Items 1 through 10, except Item 8 [Tract D Sweetwater Ranch Manor Final Plat Replat (10-PP-2022)] which was moved to the Regular Agenda. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Littlefield; and Councilmembers Caputi, Durham, Graham, Janik, and Whitehead voting in the affirmative.

REGULAR AGENDA

8. Tract D Sweetwater Ranch Manor Final Plat Replat (10-PP-2022)

Request: Approve the final plat replat of Tract D of Sweetwater Ranch Manor for the creation of two new residential lots with Townhouse Residential, Planned Community District (R-4 PCD) zoning.

Location: 13099 N. 94th Place

Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism

Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

Principal Planner Jeff Barnes gave a PowerPoint presentation (attached) on the request to approve the Tract D Sweetwater Ranch Manor Final Flat Replat.

Mayor Ortega opened public comment on this item.

JD Smith, Scottsdale resident, spoke in support of this item.

Mayor Ortega closed public comment on this item.

MOTION AND VOTE - ITEM 8

Councilwoman Janik made a motion to approve the final plat replat of Tract D of Sweetwater Ranch Manor for the creation of two new residential lots with Townhouse Residential, Planned Community District (R-4 PCD) zoning. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Littlefield; and Councilmembers Caputi, Durham, Graham, Janik, and Whitehead voting in the affirmative.

11. Bimer Residence Carport Conversion to Garage and Carport Addition (83-HP-2022) Appeal

Request: Applicant appeal of the Historic Preservation Commission decision of a Certificate of Appropriateness – Historic Resources regarding conversion of an existing carport to a garage and a new carport addition and associated improvements at a residence within the Village Grove 1-6 historic community with Single-Family Residential, Historic Property (R1-7 HP) zoning designation.

Location: 6637 E. Oak Street

Presenter(s): Jesus Murillo, Senior Planner

Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism

Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

Senior Planner Jesus Murillo gave a PowerPoint presentation (attached) on the Bimer Residence Carport Conversion to Garage and Carport Addition appeal.

Applicants and property owners, Deanna and Chris Bimer, gave a PowerPoint presentation (attached) on the Bimer Residence Carport Conversion to Garage and Carport Addition Appeal.

There was no public comment on this item.

MOTION AND VOTE – ITEM 11

Councilwoman Whitehead made a motion to approve the applicant's request and overturn the Historic Preservation Commission decision, including approving the garage door selected by the applicant. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Littlefield; and Councilmembers Caputi, Durham, Graham, Janik, and Whitehead voting in the affirmative.

12. Repeal of the Downtown Infill Incentive District and Plan (1-II-2010#3) Request: Adopt Resolution No. 12746 to authorize:

- 1. The repealing of previously adopted Resolution No. 8370 which authorized the establishment of the Downtown Infill Incentive District and the adoption of the Downtown Infill Incentive Plan.
- 2. That this Resolution shall not be deemed to change, alter or otherwise limit any relief from development standards previously authorized through ordinance of the Council prior to effective date of this Resolution.
- 3. The Mayor, City Manager, or their designees, to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.

Presenter(s): Brad Carr, Planning & Development Area Manager Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

Planning & Development Area Manager Brad Carr gave a PowerPoint presentation (attached) on the possible repeal of the Downtown Infill Incentive District and Plan.

There was no public comment on this item.

MOTION AND VOTE – ITEM 12

Vice Mayor Littlefield made a motion to adopt Resolution No. 12746 authorizing the repeal of previously adopted Resolution No. 8370 which authorized the establishment of the Downtown Infill Incentive District and the adoption of the Downtown Infill Incentive Plan. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Littlefield; and Councilmembers Caputi, Durham, Graham, Janik, and Whitehead voting in the affirmative.

12A. Temporary Water Supply Intergovernmental Agreement (IGA) Request: Adopt Resolution No. 12892 to authorize:

- 1. IGA No. 2023-141-COS with the Rio Verde Foothills Standpipe District for the temporary treatment and provision of potable water at a City standpipe for delivery to residents in the Rio Verde Foothills area and determination that provision of water to the District following the District's provision of additional raw water supply to the City is consistent with the City's Drought Management Plan.
- 2. The City Manager and City Attorney, or their designee(s), to take such further actions and execute such documents as necessary to carry out the intent of this Resolution.

Presenter(s): Brian Biesemeyer, Water Resources Executive Director **Staff Contact(s):** Jim Thompson, City Manager, 480-312-2800, ithompson@scottsdsaleaz.gov

Water Resources Executive Director Brian Biesemeyer gave a PowerPoint presentation (attached) on the proposed Temporary Water Supply Intergovernmental Agreement (IGA).

Mayor Ortega opened public comment on this item. `

Michael Miola, Rio Verde resident, requested the Intergovernmental Agreement be adopted.

Mayor Ortega closed public comment on this item.

MOTION AND VOTE - ITEM 12A

Councilmember Graham made a motion to adopt Resolution No. 12892 with the following two amendments:

- 1) The first amendment was specific to the language of Contract No. 2023-141-COS and directed that the second sentence of Section 14 be stricken from the contract. The language to be stricken included: "The Agreement may be administratively extended for a period of one additional (1) year upon mutual agreement of the City Manager and the Chairman of the District Board should the District be legally authorized to exist beyond December 31, 2025."
- 2) The second amendment included drafting a traffic mitigation plan as part of the agreement.

Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Littlefield; and Councilmembers Caputi, Durham, Graham, Janik, and Whitehead voting in the affirmative.

PUBLIC COMMENT - None

CITIZEN PETITIONS

13. Receipt of Citizen Petitions

Request: Accept and acknowledge receipt of citizen petitions. Any member of the Council may make a motion, to be voted on by the Council, to: (1) Direct the City Manager to agendize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action.

Staff Contact(s): Ben Lane, City Clerk, 480-312-2411, blane@scottsdaleaz.gov

No citizen petitions were received.

The City Council recessed at 6:31 P.M.

The City Council reconvened at 6:38 P.M.

WORK STUDY SESSION

PUBLIC COMMENT

• Linda Milhaven, former Scottsdale City Councilmember, suggested that the Task Force consider what should be done with the remaining tax collections after all the preserve bonds have been paid and to consider a ballot question related to repurposing the funds. Additionally, she hoped that Councilmembers will be open to citizen input and survey results on what should be covered by the renewed tax. She requested the Council direct the Task Force to include public art funding as part of their discussion on possible items that would be covered by a renewed tax.

1. Protect and Preserve Scottsdale Task Force Progress Report

Request: Presentation and discussion regarding the Protect and Preserve Scottsdale Task Force's progress report detailing the steps taken to conduct a preliminary survey to define the community's priorities; and define and prioritize unfunded needs.

Presenter(s): Sonia Andrews, City Treasurer, Cynthia Wenstrom, Chair, and Raoul Zubia, Vice Chair, Protect and Preserve Scottsdale Task Force

Staff Contact(s): Gina Kirklin, Finance Director, 480-312-5006, rkirklin@scottsdaleaz.gov

Protect and Preserve Scottsdale Task Force Chair Cynthia Wenstrom and Vice Chair Raoul Zubia gave a PowerPoint presentation (attached) on the Protect and Preserve Scottsdale Task Force Progress Report.

There was Council consensus on the following items:

- Emphasis should be on maintaining and improving parks in south Scottsdale.
- Dedicated funding is needed for the maintenance, protection, and conservation of the Preserve.

Councilmembers made the following observations and suggestions:

- Renewed tax should focus on parks, preserve, and public safety.
- Prepare a comprehensive list of preserve projects, park projects, and open space with a realistic analysis of how much funding will remain when the bonds are paid off.
- Look at fire mitigation and the protection of our open spaces.

- Determine needed support for Police to ensure safe travel through areas on bicycle and horseback.
- Need additional justification for WestWorld needs related to possible inclusion as a tax measure beneficiary.
- Current WestWorld tent needs to be removed and a permanent tent installed as this is important for the longevity of WestWorld.
- Examine drones as a possible method for assisting with public safety issues, such as fires.
- Consider using remaining funding to maintain and protect the Preserve in perpetuity.
- Seek resident feedback to determine if the existing tax should be continued.
- Look at possibly changing the .2 percent current tax to another amount.
- Look at options related to the .15 percent tax expiring in 2035.
- Stay flexible and keep options open.
- Tax should not be considered an extension because it is for an entirely different purpose.
- Any tax considered should be viewed as a tax increase.
- Look at taxing options at .05 percent, .1 percent, and .15 percent and determine how much funding these options would yield.
- Examine a temporary tax period (for example 20 years) instead of a permanent tax.
- Estimate how much of the tax for the Preserve was paid for by visitors.
- Determine costs for a land bridge for the Preserve.
- Any tax under consideration should not be considered a new tax.
- Be very specific on how the tax will benefit the public.
- Land acquisition may still be needed.
- Need to ensure that requirements related to the American with Disabilities Act are met.
- Create a fund to maintain the Preserve in perpetuity.

MOTION AND VOTE - ADJOURNMENT

Councilmember Graham made a motion to adjourn the Regular Meeting and Work Study Session. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Littlefield; and Councilmembers Caputi, Durham, Graham, Janik, and Whitehead voting in the affirmative.

ADJOURNMENT

Mayor Ortega adjourned the Regular Meeting and Work Study Session at 7:40 P.M.

SUBMITTED BY:

Ben Lane, City Clerk

Officially approved by the City Council on

October 10, 2023

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting and Work Study Session of the City Council of Scottsdale, Arizona, held on the 5th day of September 2023.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 10th day of October 2023.

Ben Lane, City Clerk

Replat Tract D Sweetwater Ranch Manor (Final Plat) 10-PP-2022

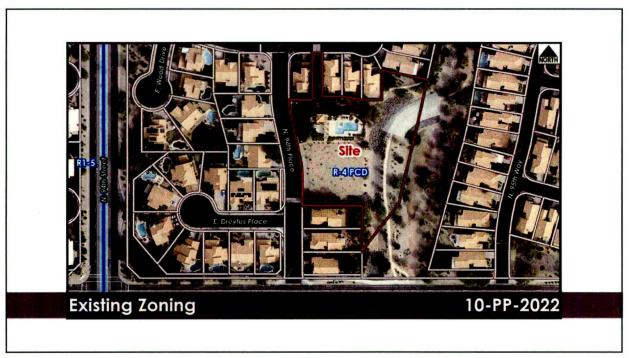
City Council September 5, 2023

Coordinator: Jeff Barnes

1



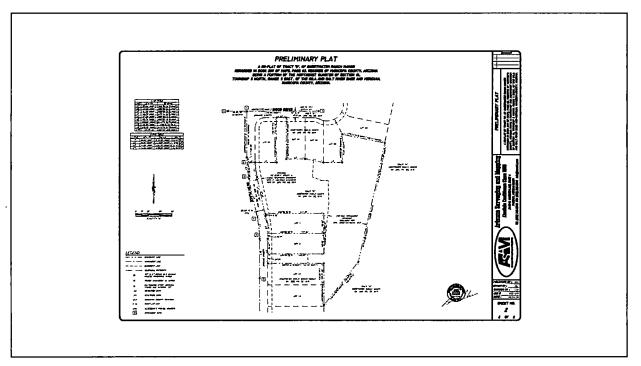


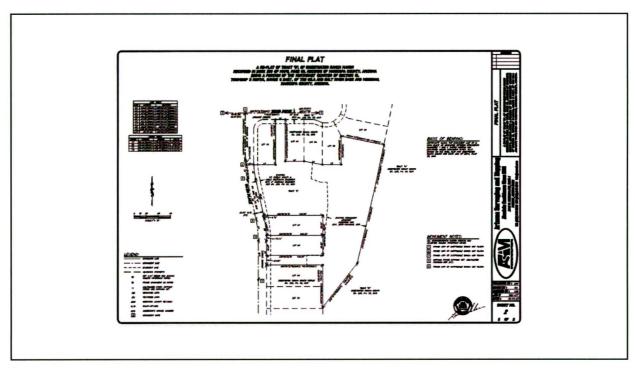


Action Requested

Approval of a Final Plat for the Replat of Tract D of Sweetwater Ranch Manor, to create two residential lots within a portion of the existing +/- 1.84-acre Tract.

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Project Data

Overall R-4 PCD

Gross Area:
 40-acres

Open Space Required: 4-acres (within the 40-acres of R-4 zoning)
 Open Space Existing: 8.98-acres (within the 40-acres of R-4 zoning)

• Open Space Proposed: 8.67-acres (within the 40-acres of R-4 zoning)

• Number of Dwelling Units Allowed: 318 total units (within the 40-acres of R-4 zoning)

• Number of Dwelling Units Existing: 145 total units (within the 40-acres of R-4 zoning)

• Number of Dwelling Units Proposed: 147 total units (within the 40-acres of R-4 zoning)

Project Data Sweetwater Ranch Manor

· Gross Area: 26-acres · Open Space Required: 2.6-acres · Open Space Existing: 7.58-acres Open Space Proposed: 7.27-acres · Number of Dwelling Units Allowed: 207-units • Number of Dwelling Units Existing: 94-units

· Number of Dwelling Units Proposed: 96-units · Existing Use: Common area (Tract D)

 Proposed Use: Common area plus 2 residential lots 80,103 square feet / 1.83 acres Existing Tract D Size: · Resulting Tract D Size: 65,947 square feet / 1.51 acres

Enclave at Sweetwater Ranch

• Gross Plat Area: 14-acres • Open Space Required: 1.4-acres · Open Space Existing: 1.4-acres Number of Dwelling Units Allowed: 111-units • Number of Dwelling Units Existing: 51-units



Replat Tract D Sweetwater Ranch Manor (Final Plat) 10-PP-2022

City Council September 5, 2023 Coordinator: Jeff Barnes



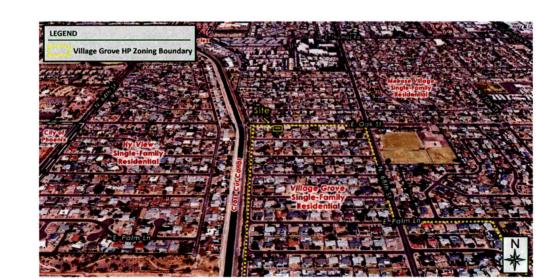
Bimer Residence Carport Conversion to Garage and Carport Addition Appeal

83-HP-2022

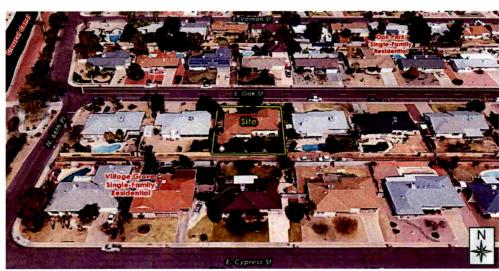
City Council

September 5, 2023 Coordinator: Jesus Murillo

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Context Aerial 83-HP-202



Aerial Close-Up 83-HP-2022

3



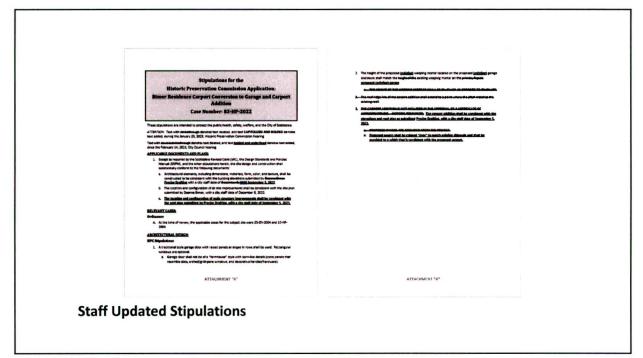
Zoning Aerial 83-HP-2022

Key Items For Consideration

This item is an appeal of the Historic Preservation Commission (HPC) decision of January 5, 2023 - Historic Preservation Guidelines for Village Grove 1-6 Historic District.

Code Enforcement violation issued in October of 2022.

City Council voted to continue the case to a date to be determined with a 7-0 vote at the February 14, 2023, hearing



APPLICABLE DOCUMENTS AND PLANS:

- 1. Except as required by the Scottsdale Revised Code (SRC), the Design Standards and Policies Manual (DSPM), and the other stipulations herein, the site design and construction shall substantially conform to the following documents:
 - a. Architectural elements, including dimensions, materials, form, color, and texture, shall be constructed to be consistent with the building elevations submitted by Precise Drafting with a city staff date of September 5, 2023.
 - b. The location and configuration of all site improvements shall be consistent with the site plan submitted by Deanna Bimer, with a city staff date of December 8, 2022.
 - c. The location and configuration of main structure improvements shall be consistent with the roof plan submitted by Precise Drafting, with a city staff date of September 5, 2023.

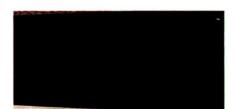
7

ARCHITECTURAL DESIGN:

- A traditional style garage door with raised panels arranged in rows shall be used.
 Rectangular windows are optional.
 - a. Garage door shall not be of a "farmhouse" style with barn-like details (cross panels that resemble slats, arched/grid-pane windows, and decorative handles/hardware).



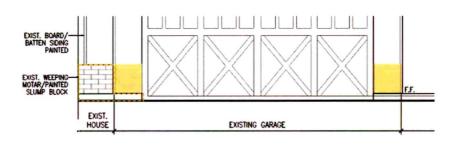
Garage Door Identified in Guidelines



Garage Door Proposed with Request

ARCHITECTURAL DESIGN:

The height of the proposed (existing) weeping mortar located on the proposed (existing) garage enclosure shall match the existing weeping mortar on the proposed (existing) garage.



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ARCHITECTURAL DESIGN:

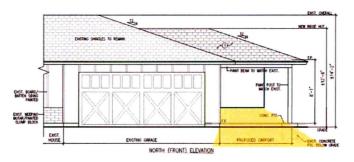
3. The carport addition shall be consistent with the elevations and roof plan as submitted Precise Drafting, with a city staff date of September 5, 2023.



ARCHITECTURAL DESIGN:

3.

a. Proposed pavers shall be colored "grey" to match existing sidewalk and shall be provided to a width that is consistent with the proposed carport.



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Action Requested

 Request by owner for an appeal of the Historic Preservation Commission decision of a Certificate of Appropriateness -Historic Resources regarding conversion of an existing carport to a garage and a new carport addition, and associated improvements, at a residence within the Village Grove 1-6 historic community, located at 6637 E Oak Street, with Singlefamily Residential, Historic Property (R1-7 HP) zoning designation.

Options for Certificate of Appropriateness

- Deny the request and uphold the Historic Preservation Commission decision;
- Approve the request and overturn the Historic Preservation Commission with reference to how the project meets the guidelines;
- Approve the request with stipulation/s, overturning the Historic Preservation Commission with reference to how the project meets the guidelines; or
- Continue case to allow time for additional work or information to be provided

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Bimer Residence Carport Conversion to Garage and Carport Addition Appeal

83-HP-2022

City Council

September 5, 2023 Coordinator: Jesus Murillo CASE STIPULATIONS FOR BIMER RESDIDENCE CARPOT CONVERSION TO GARAGE AND CARPORT ADDITION - 83-HP-2022

These stipulations are intended to protect the public health, safety, welfare, and the City of Scottsdale.

ATTENTION: Text with strikethrough denotes text deleted, and text CAPITOLIZED AND BOLDED denotes text added, during the January 23, 2023, Historic Preservation Commission hearing.

Text with double strikethrough denotes text deleted, and text <u>bolded and underlined</u> denotes text added, since the February 14, 2023, City Council hearing.

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ARCHITECTURAL DESIGN:

- 1. A traditional style garage door with raised panels arranged in rows shall be used. Rectangular windows are optional.
 - a. Garage door shall not be of a "farmhouse" style with barn-like details (cross panels that resemble slats, arched/grid-pane windows, and decorative handles/hardware).
- The height of the proposed (existing) weeping mortar located on the proposed (existing) garage
 enclosure shall match the height of the existing weeping mortar on the primary façade proposed
 (existing) garage.
 - a. THE HEIGHT OF THE WEEPING MORTAR SHALL BE 8"x4"x16" AS OPPOSED TO 8"x8"x16".
- 3. The roof ridge line of the carport addition shall extend to a point where the pitch matches the existing roof.
- 3. THE CARPORT ADDITION IS NOT INCLUDED IN THE APPROVAL OF A CERTIFICATE OF

 APPROPRIATENESS—HISTORIC RESOURCES. The carport addition shall be consistent with the

 elevations and roof plan as submitted Precise Drafting, with a city staff date of September 5, 2023.
 - **8. PROPOSED PAVERS ARE EXCLUDED FROM THE PROJECT.**
 - a. <u>Proposed pavers shall be colored "grey" to match existing sidewalk and shall be provided to a</u> width that is consistent with the proposed carport.

APPLICABLE DOCUMENTS AND PLANS:

- Except as required by the Scottsdale Revised Code (SRC), the Design Standards and Policies Manual (DSPM), and the other stipulations herein, the site design and construction shall substantially conform to the following documents:
 - a. Architectural elements, including dimensions, materials, form, color, and texture, shall be constructed to be consistent with the building elevations submitted by Deanna Bimer <u>Precise</u> <u>Drafting</u> with a city staff date of December 8, 2022 <u>September 5, 2023</u>.
 - b. The location and configuration of all site improvements shall be consistent with the site plan submitted by Deanna Bimer, with a city staff date of December 8, 2022.
 - c. The location and configuration of main structure improvements shall be consistent with the roof plan submitted by Precise Drafting, with a city staff date of September 5, 2023.

RELEVANT CASES:

Ordinance

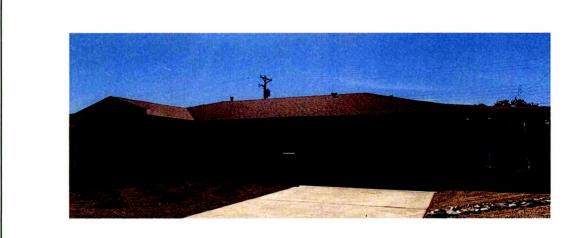
At the time of review, the applicable cases for the subject site were 25-ZN-2004 and 10-HP-2004.

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Previous Elevation

83-HP-2022



Most Current Elevation

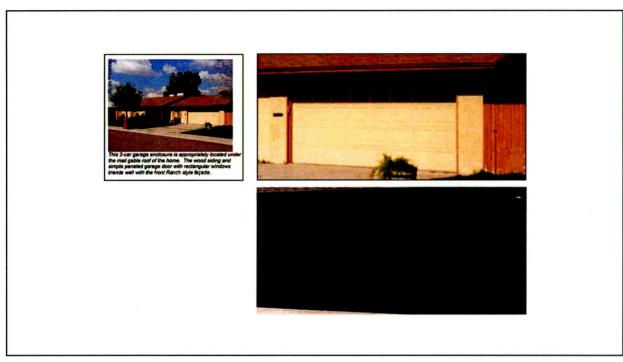
83-HP-2022

19

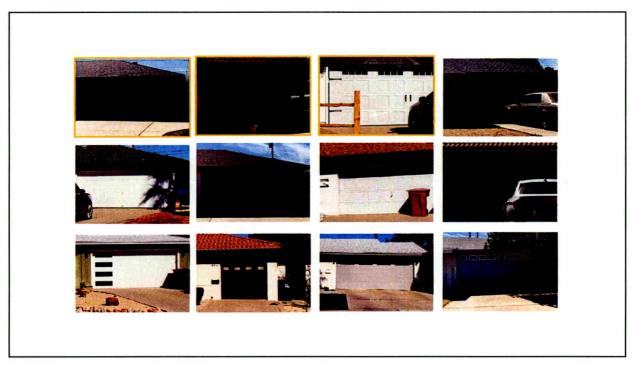


Most Current Elevation

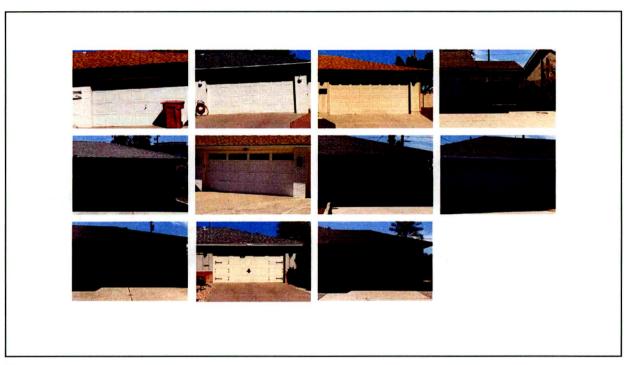
83-HP-2022

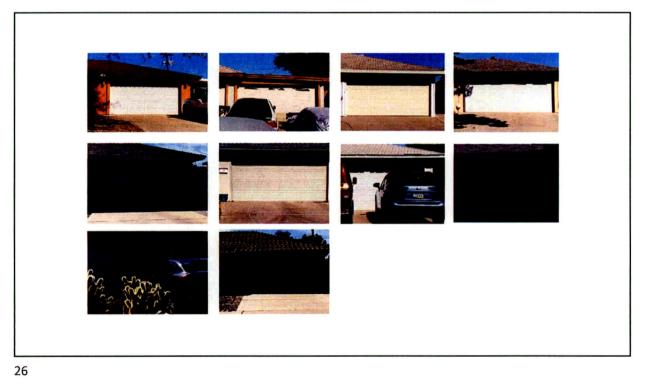


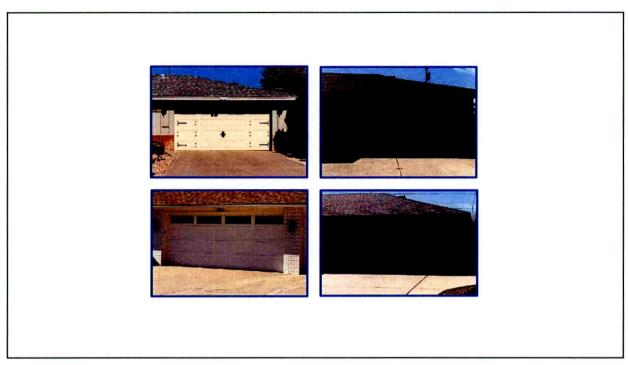


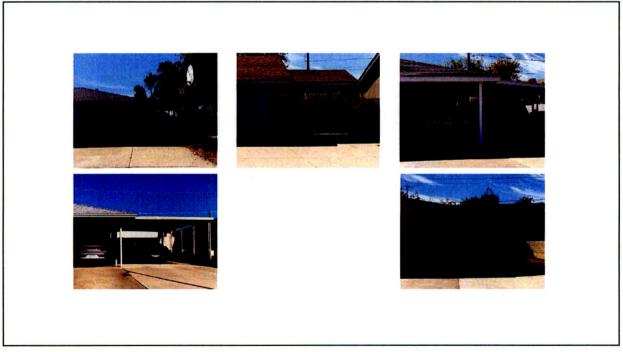


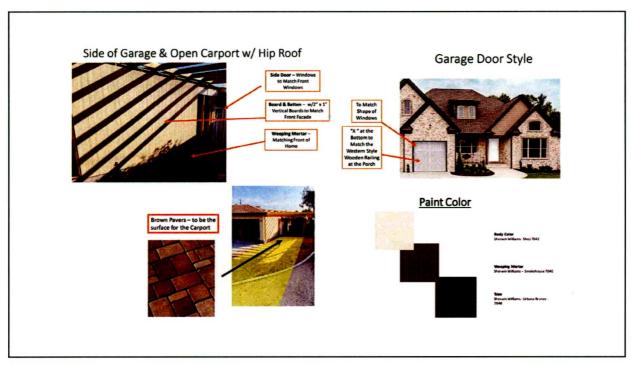


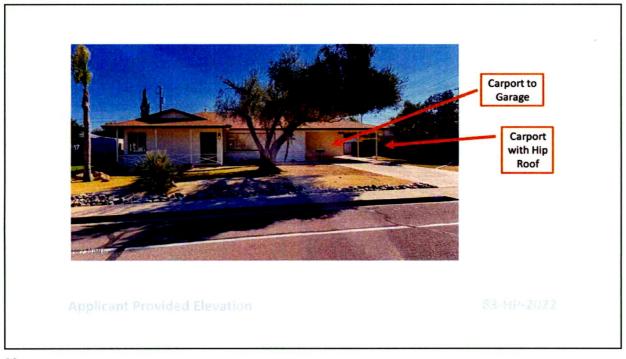












Chapter 3, Policy 1: Preserve the historic scale and arrangement of building

 Staff found the proposed garage to be in alignment with the portion of the existing building and the proposed one-car carport addition is subordinate in scale to the existing building. The orientation of the front of the house facing the street, with a discernible front entry feature, was being maintained. The applicant intends to preserve and emphasize the front porch entry feature with western style wooden railing.



31

Chapter 4, Policy 4: Preserve the original materials in place whenever possible

 Staff found that the applicant intends to maintain the pattern of building materials with the proposed carport conversion to garage and additional one-car carport. Staff stipulated that the weeping mortar on the garage enclosure match the workmanship on the existing house. The HPC maintained the stipulation. The applicant states that their proposed use of weeping mortar on the garage enclosure exceeds what other homes have provided architecturally in the neighborhood.



Chapter 5, Policy 8: Preserve the original characterdefining features of attached carport and garages

- Staff analysis found the applicant selected and installed the garage door style to match the western style wooden railing of the porch and shape of existing windows. The guidelines state that a simple paneled garage door with rectangular windows blends well with the front Ranch style façade.
 Staff stipulated to the simple rectangular paneled garage door. The HPC maintained the stipulation. The applicant states the door had already been order due to wait times, and that other examples of differing garage doors exist in the neighborhood.
- Staff also found that the materials for the roof of the carport addition match the original roof. Staff also found that he proposed roof mimics the type and massing of the original roof but creates a new roof pitch.

33

Chapter 6, Policy 12: Preserve the finishes historically used on the house.

 Staff analysis found that the applicant proposes new paint on walls, weeping mortar, and trim that meet the guidelines.

Chapter 7, Policy 15: Design an addition so that it is compatible with the existing house.

 Staff's analysis found that the proposed one-car carport addition is similar in height, proportions, and massing as main building, but the roof of the proposed carport addition is lower than the main house's roof and has a hipped form with overhanging eave. The applicant proposes eave trim of a similar material and appearance as that found on the house.

Chapter 8, Policy 18 Preserve the traditional pattern of sidewalks and driveways found with the subdivision.

 The applicant stated that they did not intend to pave the front yard but proposes new pavers under the proposed one-car carport addition that lead out to the right-of-way. The applicant proposes a brown cobble surface for the associated parking bay is adjacent to the existing carport/proposed garage. The HPC denied the approval of the pavers since the HPC vote denied the carport addition.



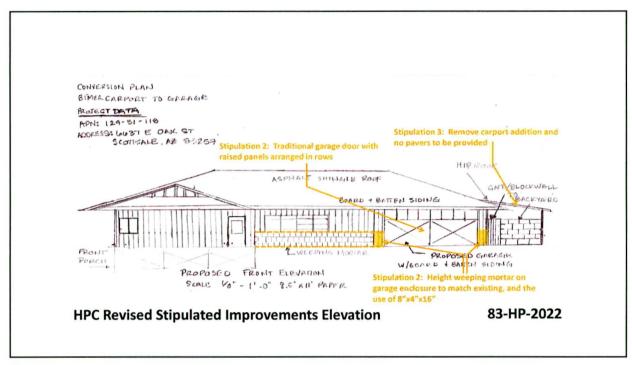
35

REQUEST and HPC Approved Stipulations

ARCHITECTURAL DESIGN:

HPC Stipulations

- A traditional style garage door with raised panels arranged in rows shall be used. Rectangular windows are optional.
 - c. Garage door shall not be of a "farmhouse" style with barn-like details (cross panels that resemble slats, arched/grid-pane windows, and decorative handles/hardware).
- The height of the proposed weeping mortar located on the proposed garage enclosure shall
 match the height of the existing weeping mortar on the primary façade, and the weeping mortar
 and block construction to be modified to provide 8"x4"x16" block instead of the
 proposed/existing 8"x8"x16" block.
- The roof ridge line of the carport addition shall extend to a point where the pitch matches the
 existing roof. Proposed carport addition and proposed pavers, accessing the proposed carport
 addition, are denied, and not included as part of the Certificate of Appropriateness.



Item 11 Applicant

6637 E. Oak

Enclose Carport (2 car garage) & Add Carport

6 Area to Discuss

1

Stipulations - for case 83-HP-2022

Stipulation 1 – Traditional style garage door w/ raised panels arranged in rows shall be used. Rectangular windows are optional.

C. Garage door shall not be of a "farmhouse" style with barn like detail (cross panels that resemble slats, arched/grid-pane windows, and decorative handles/hardware).

Stipulation 2- Height of weeping mortar on garage enclosure to match existing Block to be modified to provide 8" x 4" x 16" vs 8" x 8" x 16".

Stipulation 3- Roof ridgeline of carport addition to extend to a point where the pitch matches the existing roof. Proposed carport pavers to be gray vs. brown

Stipulation 1 – Traditional garage door w/raised panels arranged in rows - NOT a

guideline



ONLY Sentence in the entire 57 pages of guidelines

This 2-car garage enclosure..... The wood siding and simple paneled garage door with rectangular windows blends well with the front Ranch style façade.

3

HPC Meeting

On January 5th - Meeting 83-HB2022

Historic Society Stated this about the Garage Door we Submitted:

"because we have allowed these in the past, not going to make a big deal about the garage door"



HPC Meeting Recording

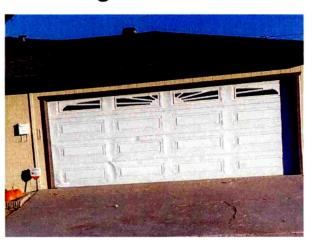
Neighborhood



5

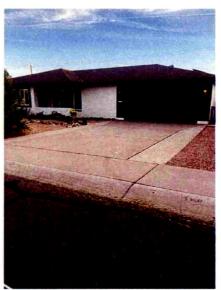
Neighborhood- Not rectangle windows





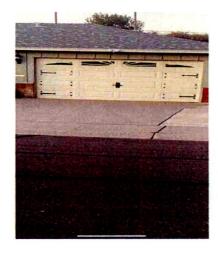
Neighborhood





7

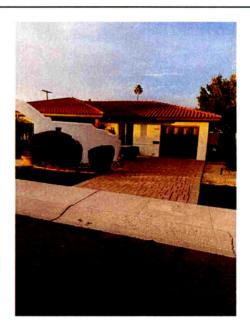
Neighborhood- decorative hardware





Wooden Overlay Garage Doors





9

Approved By Committee (HPC)— Flat Panel w/ Contemporary Look & Windows Down the Side



We Believe our door

"Blends Well"
(X's)Match the Front
Porch

Rectangles Match the Windows



11

Stipulation 2

A) Height of weeping mortar on garage enclosure to match existing.

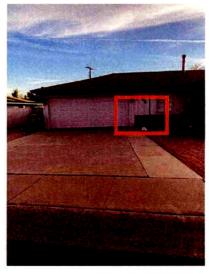
No Guideline for This The Neighborhood Not Held to This Standard

B) Block needs to be 4" vs 8" for the weeping mortar.

Our Blocks Conform to Original Block Used

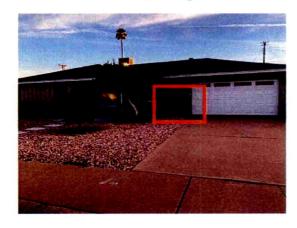
No Weeping Mortar Height Matches





13

No Weeping Mortar Height

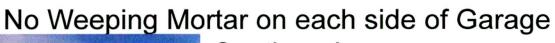


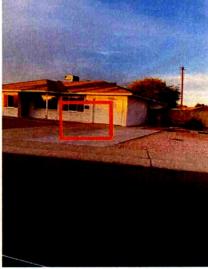


No Weeping Mortar Height







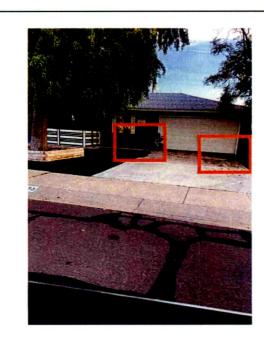


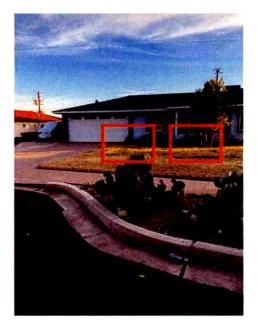


No Weeping Mortar on each side of Garage Continued



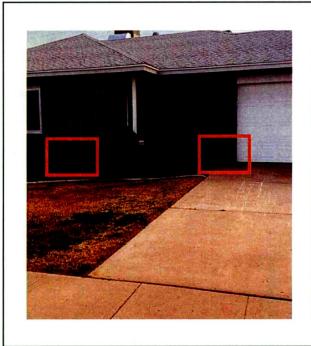


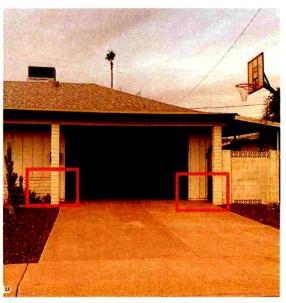












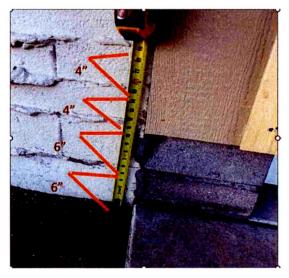
21

Stipulation 2

B) Block needs to be 4" vs 8" for the weeping

<u>Historical Society</u> – stated wrong block was installed. - **This is not the case.**

Original Home was built with
Bottom 2 Rows of block at 6" & All other
Rows are 4" – Our bottom Blocks
conform to the Original Material Size.



Stipulation 3

Roof ridgeline of carport addition to extend to a point where the pitch matches the existing roof.

Current Roof

Guideline

<u>Carports 8.3</u> – If an original 1-car Carport OR garage needs to be expanded – <u>Preferable to expand it to the side and then extend the massing of the original roof over the addition. A flat or shed roof at the end of the original pitched roof is discouraged.</u>

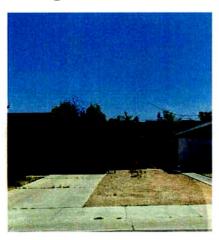
2.3 Roofs should use low-pitched sloping forms such as gables or hips with over-hanging eaves.

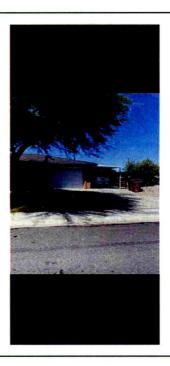
Meets R1-7 Zoning – for City of Scottsdale-Structure to be 5' from Property Line



23

Current Historic Neighborhood





Current Historic Neighborhood- Flat & Metal





25

Current Historic Neighborhood- Next door-same as ours





Current Historic Neighborhood- Flat & Metal

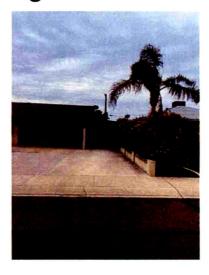




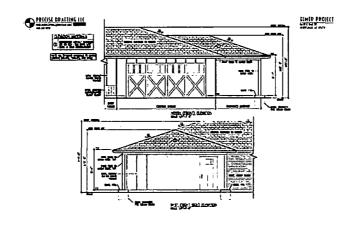
27

Current Historic Neighborhood





Carport Roof



29

Pavers For the Carport (Side Yard)

Guideline 18.3

If it is necessary to construct an additional parking bay, construct it adjacent to the existing carport, garage or driveway. Consider utilizing a construction method that combines concrete block and turf or a paving material that will minimize its visual impact on the streetscape

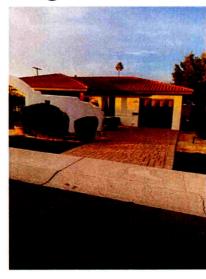
*proposing gray vs brown as to blend w/ the current gray driveway

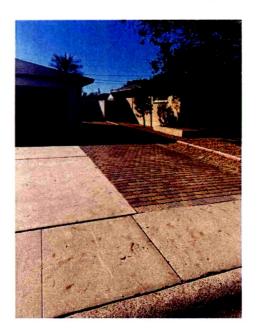


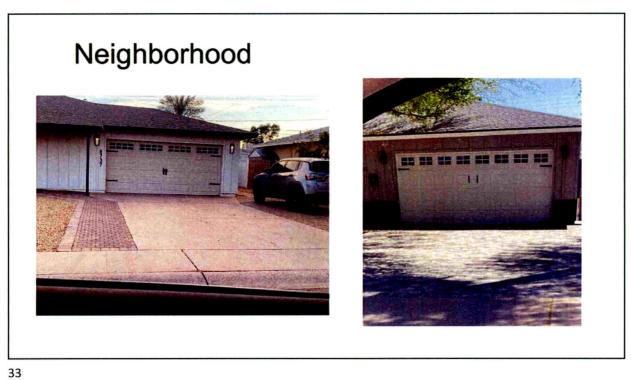




Neighborhood







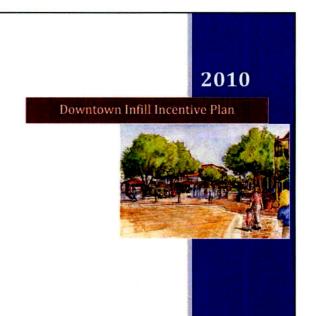


Old Town Plan Character Area Plan & Zoning Ordinance Update

Repeal of the Downtown Infill Incentive District & Plan
City Council – September 5, 2023
1-II-2010#3

Infill Incentive Districts

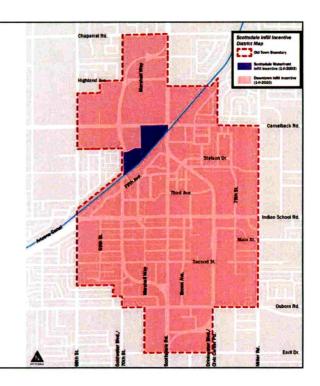
- Arizona Revised Statutes § 9.499.10 provides criteria to establish Infill incentive Districts
 - Requires that an infill incentive plan be adopted to encourage redevelopment in the district
- The Downtown Infill Incentive Plan (2010) is a redevelopment tool and allows:
 - · Development standard amendments,
 - · Fee waivers, and
 - · Other applicant requests



1

Scottsdale's Infill Districts

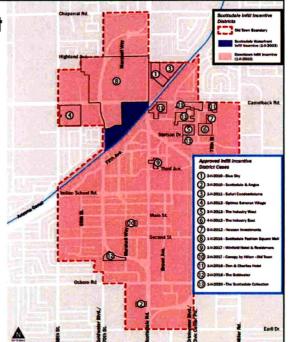
- Scottsdale Waterfront Infill Incentive District (2003)
 - · Limited to a single site
- Downtown Infill Incentive District (2010)
 - · Excludes Scottsdale Waterfront site
 - Maintain the integrity and character of Old Town Scottsdale and its built environment
 - Case-by-case discretionary review by City Council:
 - · Amended development standards,
 - Items not otherwise permitted under the established Zoning Ordinance,
 - Development fee waivers (never utilized), and/or
 - Expedited plan reviews (never utilized),



3

Downtown Infill Incentive District

- Downtown Infill Incentive District approvals to date (13 total)
 - · Amended development standards
 - · Floor Area Ratio
 - · Building Height
 - Density
 - · Old Town Boundary Stepback Plane
 - · Parking Masterplan/Reduction



2

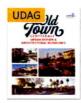
General Plan/Old Town Updates

- City Council removed references to the Infill Incentive District in Scottsdale General Plan 2035
 - Infill Incentive (2010) was created prior to the most-recent update to the Planned Block Development Overlay (PBD) Zoning District (2018)
 - Redevelopment is more comprehensively served through the D/PBD Zoning Districts
 - · Infill Incentive is redundant to D/PBD
- In 2021, City Council directed staff to begin a public outreach effort to reexamine the Old Town Scottsdale Plan, Downtown sections of the Zoning Ordinance, and the Downtown Infill Incentive District and Plan









Scottsdale Zoning Ordinance

ZO

Scottsdale

Zoning

Ordinance

5

Key Items for Consideration

- Implement the voter ratified Scottsdale General Plan 2035 that removed references to any Infill Incentive District;
- Remove redundant redevelopment mechanisms within the Zoning Ordinance; and
- Encourage the Downtown (D) District zoning district, paired with the Planned Block Development (PBD) Overlay, as the mechanism to maximize redevelopment potential for parcels within the Old Town Character Area;
- Fee waivers and/or expedited plan review could occur only through Council-approved development agreement





Recommended Approach

Adopt Resolution No. 12746, repealing Resolution No. 8370 and terminating the Downtown Infill Incentive District and the Downtown Infill Incentive Plan.

7

Old Town Update Next Steps

- Future amendments to update the Old Town Scottsdale Character Area Plan and affected sections of the Zoning Ordinance that relate to Old Town.
 - Phases Anticipated for fiscal year 2023/2024



Old Town Plan Character Area Plan & Zoning Ordinance Update

Repeal of the Downtown Infill Incentive District & Plan
City Council – September 5, 2023
1-II-2010#3

ASI məll

September 5th, 2023

Rio Verde Foothills Standpipe District Intergovernmental Agreement









Brian K. Biesemeyer, PE Scottsdale Water Executive Director τ

Rio Verde Foothills

- Rio Verde Foothills (RVF) is an unincorporated area in Maricopa County, east of the city of Scottsdale along the Dynamite/Rio Verde Dr. corridor
- 2016: All Rio Verde water hauling was relocated to the Pima Road filling station. Discussions were held with several water hauling companies and concerned RVF residents emphasizing that Scottsdale was not the Rio Verde Foothills communities long term water supplier.

Rio Verde Foothills

- May 2020: Letters to Maricopa County Supervisor Chucri and State Representative Kavanagh stating that Scottsdale is not obligated to provide water to Rio Verde and if restrictions on Colorado River water occur, Scottsdale intends to restrict service to only Scottsdale.
- February 2021: Scottsdale City Council provided consent for the formation of a proposed Rio Verde Foothills Domestic Water Improvement District.

3

Rio Verde Foothills

- May 2021: Second letter to Maricopa County Supervisor Chucri and State Representative Kavanagh.
- August 2021: Scottsdale Activated its Drought Management Plan as a result of CAP water cuts.
- October 2021: Scottdale Water Haulers (commercial and residential) notified that water hauling outside of the City of Scottsdale will cease on December 31, 2022.

Rio Verde Foothills

- August 2022: Scottdale Water sends a second notice to Water Haulers that water hauling outside of the City of Scottsdale will cease on December 31, 2022
- August 2022: Maricopa County rejected the formation of the RVF Domestic Water Improvement District.
- December 2022: Water Hauling outside of Scottsdale stopped.

5

Rio Verde Foothills

- February 2023: City Council approves the general structure of an IGA with Maricopa County to provide water for RVF.
- June 2023: Governor Hobbs signs Senate Bill 1432 authorizing a Standpipe District for RVF
- August 2023: RVF Standpipe District starts discussions with City staff on an IGA

IGA Summary

- Terminates on December 31, 2025
- IGA is with the RVF Standpipe District (District) only
- No City responsibility after water delivery at the Pima Road Fill Station

7

IGA Summary

- Contingent on District obtaining a raw water source
- District limited to serving no more than 750 residents as stipulated in state law
- District will have a single account with subaccounts limited to 100

IGA Summary

- Cost:
 - Base Fee of \$1000.00 per month
 - \$17.96 per 1000 gallons delivered
- Fee to increase annually as Scottsdale Water rates increase.

9

Request

Adopt Resolution No. 12892 authorizing an intergovernmental agreement with the Rio Verde Foothills Standpipe District to provide a temporary raw water supply for the District.

Work Study

PROTECT AND PRESERVE SCOTTSDALE TASK FORCE

UPDATE TO COUNCIL

September 5, 2023

1

PROTECT AND PRESERVE SCOTTSDALE TASK FORCE MEMBERS

Cynthia Wenstrom (Chair)

Raoul Zubia (Vice Chair)

Carla

James Eaneman

Nicholas Hartmann

Jace McKeighan

Daniel Schweiker

Mark Winkleman

John Zikias

III ZIKIAS

ż

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

BACKGROUND

Nov 2021 - Voters approve Scottsdale's General Plan 2035

including elements and goals for the protection and preservation of Scottsdale's open spaces as part of quality of life.

2022 - Council establishes priority to consider renewing a 0.2% sales tax set to expire in 2025, to fund certain elements of the General Plan

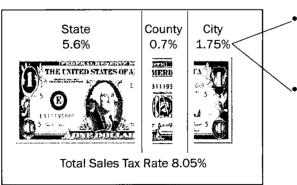
primarily for perpetual maintenance, protection and preservation of the McDowell Sonoran Preserve, Indian Bend Wash, open space, public safety and other needs.

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

3

3

RENEWING 0.2% TAX AT OR BELOW 0.2% DOES NOT INCREASE TOTAL TAX RATE



- 0.2% of the 1.75% expires in June 2025
- Renewing 0.2% in July 2025 does not increase City's total tax rate of 1.75%

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

4

CREATION OF THE TASK FORCE

Sept 2022 – Council Resolution No. 12532 established the Protect

and Preserve Scottsdale Task Force and mission

Dec 2022 - 9 citizen members selected and appointed by Council to

the Task Force representing Northern, Central and

Southern Scottsdale

Jan 2023 – Council Resolution No. 12722 established a Work

Plan for the Task Force

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

5

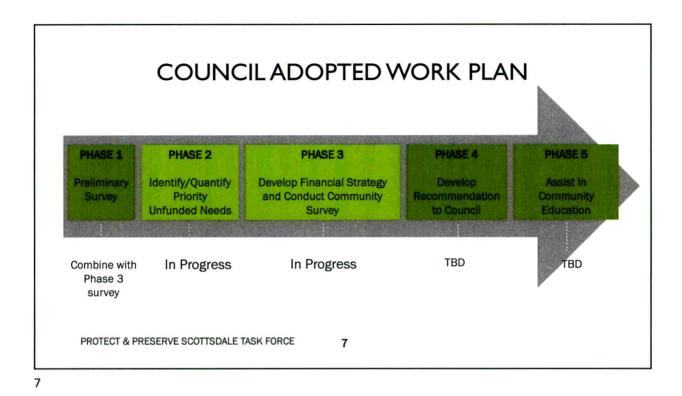
5

TASK FORCE MISSION

Council Resolution No. 12532

To serve in an advisory capacity to City Council to develop a recommendation to City Council on a financial strategy to protect and preserve Scottsdale's open spaces and quality of life, through identifying and quantifying the unfunded needs for the protection, preservation and perpetual maintenance of the City's open spaces (e.g., Indian Bend Wash Greenbelt and McDowell Sonoran Preserve), public safety and other needs.

PROTECT & PRESERVE SCOTTSDALE TASK FORCE



14 MEETINGS HELD TO-DATE TO STUDY UNFUNDED NEEDS

From February to August

- · Indian Bend Wash and other public parks
- McDowell Sonoran Preserve maintenance
- · Fire mitigation in wildland urban interface
- · Police activities in public parks and Preserve
- Human Services activities in public parks
- · Art in open spaces
- WestWorld

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

8

RESTORE AGED INDIAN BEND WASH PARKS

Deterioration from Age Master Plan Improvements Life Cycle Replacements

5 Indian Bend Wash Parks

Vista Del Camino Park
Eldorado Park
Indian School Park
Camelback Park
Chaparral Park
52 yrs old
43 yrs old
20 yrs old
50 yrs old

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

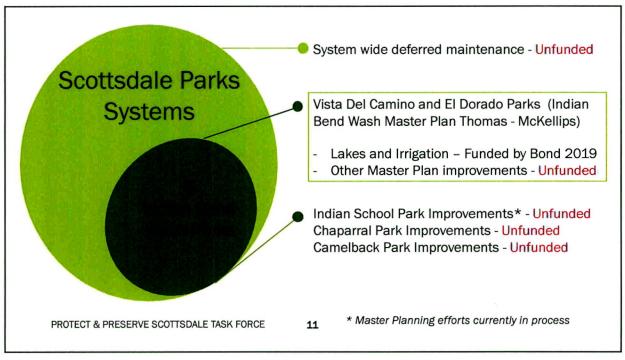
9



Turf Deterioration at Chaparral Park



Concrete Cracks at Indian School Park



11

PROTECT & PRESERVE MCDOWELL SONORAN PRESERVE

Critical and High Priority

 Dedicated funding needed to expand maintenance, protection and preservation

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

MCDOWELL SONORAN PRESERVE EXPAND PROTECTION AND PRESERVATION EFFORTS

- · Daily maintenance and operations
- · Preservation and education
- · Habitat protection
- · Cultural history protection

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

13

13

PRIORITIZE FIRE MITIGATION

Critical and High Priority

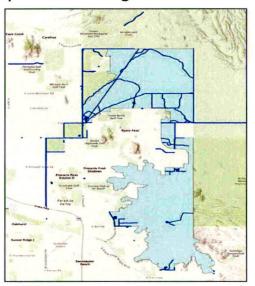
Expansion of fuels mitigation treatments needed

PROTECT & PRESERVE SCOTTSDALE TASK FORCE





Proposed Fire Mitigation Treatments



15

15

ENHANCE PARK AND PRESERVE SECURITY

Critical and High Priority

- Expand ranger units
- · Bicycle and equestrian patrol
- Additional park-based cameras needed

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

ADDRESS WEST WORLD NEEDS

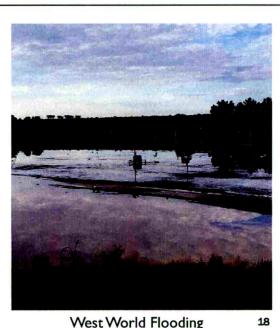
Significant and Critical Economic Engine for City

- Drainage improvements
- Parking lot improvements
- Paving of South Hall
- Covers for Arenas 6 & 7
- Resurfacing Polo Fields perimeter road

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

17

17



West World Flooding



West World Pavement Cracks

SUMMARY OF UNFUNDED NEEDS

Annual Operating Needs

Capital Improvement Needs

- Indian Bend Wash and Other Public Parks
- McDowell Sonoran Preserve
- Fire Mitigation
- Police Park Rangers

- 5 Indian Bend Wash Parks
- West World

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

19

19

TARGET KEY DATES

By Jan. 2024

Between Feb. - May 2024

Nov. 5 2024

Task Force to make recommendation to Council

Council to consider possible ballot language

Election Day

Ballot language due to County

Jun. 2024

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

20

QUESTIONS?

DIRECTIONS FOR TASK FORCE?

PROTECT & PRESERVE SCOTTSDALE TASK FORCE

21